

Message Text

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ACTION EA-14

INFO OCT-01 EUR-25 NEA-14 ISO-00 IO-14 DPW-01 AID-20 OMB-01

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FM AMEMBASSY SAIGON

TO SECSTATE WASHDC PRIORITY 4683

INFO AMEMBASSY BUDAPEST PRIORITY

AMEMBASSY JAKARTA PRIORITY

AMEMBASSY TEHRAN PRIORITY

AMEMBASSY WARSAW PRIORITY

USDEL JEC PARIS PRIORITY

C O N F I D E N T I A L SAIGON 6328

E.O. 11652: GDS

TAGS: MARR, VS

SUBJECT: ICCS: DRV PROTESTS IRDEL AND INDODEL OBSERVATIONS

REF: SAIGON 6213

1. BEGIN UNCLASSIFIED: DRV DELEGATION TO FPJMT HAS SENT NOTE TO ICCS MAY CHAIRMAN WITH COPIES TO ALL DELEGATIONS FORWARDING A DRV STATEMENT ON INVESTIGATION OF SONG PHU INCIDENT BY IRDEL AND INDODEL.

2. BEGIN TEXT: ACCORDING TO A UPI DISPATCH, MAY 7, 1974, AT THE REQUEST OF THE SAIGON ADMINISTRATION, THE INDONESIAN AND IRANIAN DELEGATIONS TO THE ICCS ON THEIR OWN INVESTIGATED THE SO-CALLED "SHELLING OF A PRIMARY SCHOOL OF SONG-PHU VILLAGE". THIS ACTION CARRIED OUT ON THEIR OWN BY THE INDONESIAN AND IRANIAN DELEGATIONS IS COMPLETELY AT VARIANCE WITH ARTICLE 18(F) OF THE AGREEMENT, WHICH STIPULATES "THE ICCS SHALL OPERATE IN ACCORDANCE WITH THE PRINCIPLE OF CONSULTATIONS AND UNANIMITY" AND WITH
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ARTICLE 9(A) OF THE PROTOCOL CONCERNING THE INTERNATIONAL COMMISSION

WHICH CLEARLY STIPULATES "THE INTERNATIONAL COMMISSION AND EACH OF ITS TEAMS, SHALL ACT AS A SINGLE BODY COMPRISING REPRESENTATIVES OF ALL FOUR MEMBERS". THIS ERRONEOUS ACTION BY THE INDONESIAN AND IRANIAN DELEGATIONS IS OBVIOUSLY SABOTATING THE JURIDICAL BASIS OF THE INTERNATIONAL COMMISSION.

AS IT IS KNOWN TO EVERYONE, ON MARCH 9, 1974, AFTER PERPETRATING A VERY BARBAROUS MASSACRE IN CAI LAY PRIMARY SCHOOL, WITH U.S. ENCOURAGEMENT AND SUPPORT, THE SAIGON ADMINISTRATION URGED THE INDONESIAN AND IRANIAN DELEGATIONS TO CONDUCT AN INVESTIGATION ON THEIR OWN AND USED THE SO-CALLED "REMARKS OF THE INDONESIAN AND IRANIAN DELEGATIONS" TO DISTORT THE TRUTH AND TO SLANDER THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM. HOWEVER, WHEN THE FOUR MEMBERS OF THE INTERNATIONAL COMMISSION HAD UNANIMOUSLY AGREED TO INVESTIGATE THE CASE ON MARCH 30, 1974 AND HAD GATHERED EVIDENCE OF THE SAIGON ADMINISTRATION ACTING AS "A THIEF CRYING STOP THIEF", THE LATTER ORDERED ITS AGENTS TO DO VIOLENCE TO THE MEMBERS OF THE INTERNATIONAL TEAM WITH A VIEW TO HINDERING AND FOILING THAT INVESTIGATION.

OF LATE, THE SPOKESMAN OF THE SAIGON ADMINISTRATION EVEN THREATENED THAT THE POLISH AND HUNGARIAN DELEGATIONS TO THE INTERNATIONAL COMMISSION SHOULD LEAVE SOUTH VIETNAM, ONLY BECAUSE OF THEIR SERIOUS ATTITUDE AND CORRECT ACTION CONFORMING TO THE PROVISIONS OF THE PARIS AGREEMENT AND ITS PROTOCOLS. THIS INSOLENT ATTITUDE OF THE SAIGON ADMINISTRATION CONSTITUTES A GROSS VIOLATION OF THE PARIS AGREEMENT ON VIETNAM.

AT THE MOMENT WHEN THE UNITED STATES IS STEPPING UP ITS MILITARY INVOLVEMENT IN SOUTH VIETNAM, DIRECTLY ENGAGING "AIR AMERICA" AIRCRAFT IN MILITARY ACTIVITIES, AND MASSIVELY INTRODUCING WEAPONS AND WAR MATERIALS INTO SOUTH VIETNAM TO STRENGTHEN AND MODERNIZE THE SAIGON ARMY, AT THE MOMENT WHEN THE NGUYEN VAN THIEU ADMINISTRATION IS FEVERISHLY INTENSIFYING THE WAR AND UNDERMINING THE NEGOTIATIONS, THE INVESTIGATION PERFORMED ON THEIR OWN BY THE INDONESIAN AND IRANIAN DELEGATIONS IS NOTHING BUT AN ENCOURAGEMENT TO THE UNITED STATES AND THE SAIGON ADMINISTRATION IN FURTHER UNDERMINING THE AGREEMENT AND PEACE, THUS MAKING THE SITUATION IN SOUTH VIETNAM EVER MORE SERIOUS.

THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC REPUBLIC OF VIETNAM ENERGETICALLY PROTESTS AGAINST THE ABOVE ERRONEOUS ACTION OF THE INDONESIAN AND IRANIAN DELEGATIONS TO THE INTERNATIONAL COMMISSION AND RESOLUTELY DEMANDS THAT THE UNITED STATES AND THE SAIGON
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ADMINISTRATION STRICTLY RESPECT THE EXPLICIT PROVISIONS CONCERNING THE INTERNATIONAL COMMISSION MENTIONED IN THE PARIS AGREEMENT ON VIETNAM, THE PROTOCOL ON THE ICCS AND THE JUNE 13, 1973 JOINT COMMUNIQUE. IT ALSO RESOLUTELY DEMANDS THAT THE INDONESIAN AND IRANIAN DELEGATIONS TO THE INTERNATIONAL COMMISSION END AT ONCE INVESTIGATIONS OF THIS KIND. ONLY BY SO DOING, MAY THE INTERNATIONAL COMMISSION MAKE POSITIVE CONTRIBUTIONS TO THE DEFENSE AND IMPLEMENTATION OF THE PARIS AGREEMENT, TO THE MAINTENANCE OF PEACE

IN VIETNAM AS WELL AS TO THE CAUSE OF PEACE IN INDOCHINA, SOUTHEAST ASIA AND THE WORLD OVER.

HANOI, MAY 10, 1974

END TEXT - END UNCLASSIFIED

3. BEGIN CONFIDENTIAL - COMMENT: NOTE TO ICCS OBVIOUSLY COORDINATED WITH DRV NOTE TO INDONESIA, REPORTED BY NEWS SERVICES IN SAIGON. EMBASSY WOULD APPRECIATE LEARNING WHETHER DRV HAS MADE PARALLEL PITCH TO TEHRAN.
MARTIN

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